

3714. Misbranding of "Seawright Magnesian Lithia Water." U. S. v. 138 Cases * * * "Seawright Magnesian Lithia Water." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5898. I. S. No. 22190-h. S. No. E-101.)

On September 4, 1914, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 138 cases, each containing 12 bottles of "Seawright Magnesian Lithia Water," remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped on April 7 and July 18, 1914, and transported from the State of Virginia into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The cases were labeled: "Seawright Magnesian Lithia Spring Co., Nature's Nervine. E. R. Edmondson, Manager, Staunton, Va." The bottles were labeled: (On paper seal over cork) "Seawright Magnesian Lithia Water." (On principal label) "*Do Not buy unless our Label is over the Cork.* Use no other Water while Drinking this. E. L. Edmondson, President, Edwin R. Edmondson, Sec'y and Treas. Seawright Magnesian Lithia Spring Company. A Light Gaseous Water, will keep indefinitely without precipitation. Nature's Nervine, Quiets the nerves and induces sleep. Invaluable in all diseases of the Stomach. Liver or Kidneys, Stone in the Bladder, &c. Relieves Dyspepsia, Constipation, Rheumatism, Gout, &c. A sure remedy for Eruptions and all Diseases of the Skin, Ulcerated Stomach, Sore Eyes, &c. For Insomnia, Drink Freely Before Retiring. For Constipation, Drink Freely before Meals. Seawright Magnesian Lithia Spring Company, Lock Box 372, Staunton, Va.

"Analysis: Sodium Chloride, .422; Calcium Sulphate, .224; Potassium Sulphate, .104; Strontium Sulphate, trace; Aluminum Phosphate, trace; Alumina, .087; Silica, .309; Organic Matter, .350; Carbon de Oxide, 60.266 Cubic In.; Calcium Bicarbonate, 15.494; Magnesium Bicarbonate, 11.161; Sodium Bicarbonate, 1.862; Lithium Bicarbonate, .064; Iron, distinct trace.

"For Skin Eruptions of any kind, drink the water freely and sponge the parts affected 20 or 30 minutes twice a day and dry without wiping. Send for Leaflet. Do not put ice in the water."

Misbranding of the product was alleged in the libel for the reason that said labels on the cases and on the bottles contained statements regarding the name [same] and therapeutic effect of said drug product which were false, fraudulent, and misleading, in that said drug product did not contain enough lithium to entitle it to be designated as a lithia water, and in that said drug product did not contain any ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 26, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 26, 1915.*